

S.N. 10/692,698
Filed 10/23/2003

Law Offices of Natan Epstein
Attorney Docket No. DE012

Responsive to the rejection, independent claims 1 and 15 have been amended to patentably distinguish over the reference.

As amended Claim 1 now specifies that the Applicant's adjustable height seat is entirely supported upon the telescoping support. None of the cited references teach or suggest a similar structure of an adjustable height seat. In *Bloswick* the seat 40 is supported on telescoping support 60 but also for rotation about shaft 44. Similar arrangements are shown in *Logan Jr.* and *Paul*. *Watkins* does not teach a telescoping support.

Claim 15 now recites that the telescoping support is mounted to the chair frame in fixed non-vertical relationship and the movable member of the telescoping support is arrested against telescoping movement by frictional engagement with said stationary member in a normal seated position of the chair occupant. None of the cited references teach or suggest a similar mode of operation of an adjustable height seat. In *Bloswick* the telescoping support is pivotable at 62 and changes its angular inclination as the seat 40 rises and lowers. Similar arrangements are shown in *Logan Jr.* and *Paul*. *Watkins* does not teach a telescoping support.

The rejection of independent claims 1 and 15 and of the claims dependent thereon is believed to be overcome by this amendment.

The 35 U.S.C. 103 rejection

Claims 10, 12, 14, 15/14, 19-26, 28 and 41 are rejected under 35 USC 103 over *Bloswick* in various combinations with *Paul*, *Watkins* and *Logan Jr.*

Responsive to the rejection independent Claim 19 has been amended similarly to independent Claims 1 and 15, to specify that the Applicant's adjustable height seat is entirely supported upon the telescoping support. None of the cited references teach or suggest a similar structure or mode of operation of an adjustable height seat.

The rejections of independent claim 19 and of the claims dependent thereon are believed to be overcome by this amendment.

Claims 33-38 and 42 stand allowed.

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New independent Claim 43 and dependent Claim 44 have been added and distinguish over the cited references by language analogous to that of Claim 15 and Claim 1, respectively, as explained above.

Review and reconsideration of the application is respectfully requested. All claims in the application are believed to be in condition for allowance and such action is respectfully solicited.

Respectfully submitted,

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